

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

FRANCISCO MARTINEZ,

Plaintiff,

VS.

KILOLO KIJAKAZI, ACTING
COMMISSIONER, SOCIAL SECURITY
ADMINISTRATION;

Defendant.

SA-21-CV-00716-JKP

ORDER

Before the Court in the above-styled cause of action are Plaintiff's Unopposed Motion to Withdraw as Counsel [#14] and Plaintiff's Unopposed Motion to Extend Time to File Brief [#15]. By his motion, Plaintiff asks the Court to allow Plaintiff's appointed attorney, Mr. D. Craig Wood, to withdraw as counsel and for an extension of time to file the opening brief in this case. The Court will grant the motions.

The record reflects that the Court granted Plaintiff's motion to appoint counsel on August 3, 2021, and appointed Oscar L. Cantu, Jr., to represent Plaintiff in this case [#4]. The Court thereafter received communication from Mr. Cantu that he had medical issues and was unable to contact Plaintiff as ordered. On September 14, 2021, the Court terminated Mr. Cantu's appointment and appointed Mr. Wood as counsel for Plaintiff. Mr. Wood was ordered to make contact with Plaintiff within 21 days, and the Court ordered service of the Commissioner of the Social Security Administration. Mr. Wood requested issuance of summons and effectuated service on the Commissioner, and in response the Commissioner filed an Answer and an electronic copy of the administrative record in this case. On November 29, 2021, the Court

issued a briefing schedule and imposed an initial deadline of January 10, 2022, for Plaintiff's brief. On the deadline to file the brief, Mr. Wood file the motions to withdraw and for an extension of time currently before the Court.

Mr. Wood's motion to withdraw indicates that he lacks experience in Social Security matters, was erroneously listed as having social security benefits experience, and is unable to represent Plaintiff's interests in this case. The Court will permit the withdrawal, grant the requested extension, and appoint a third attorney to brief this case for Plaintiff.

IT IS THEREFORE ORDERED that Plaintiff's Unopposed Motion to Withdraw as Counsel [#14] and Plaintiff's Unopposed Motion to Extend Time to File Brief [#15] are hereby **GRANTED**.

IT IS FURTHER ORDERED that D. Craig Wood is **TERMINATED** as attorney for Plaintiff.

IT IS FURTHER ORDERED that the following attorney is **APPOINTED** to represent Plaintiff in this case:

Michael F. Archer
1150 N. Loop 1604 W., Suite 108-420
San Antonio, Texas 78248
(210) 789-2205
m.archerlaw@sbcglobal.net

IT IS FURTHER ORDERED that the Clerk forward a copy of this Order to Mr. Archer.

IT IS FURTHER ORDERED that Mr. Archer contact Plaintiff within **21 days** of the date of this Order.

IT IS FINALLY ORDERED that Plaintiff file his opening brief on or before **March 28, 2022**. The parties should consult the Court's original briefing schedule [#12] for the

corresponding deadlines for the Commissioner's responsive brief and Plaintiff's reply brief, if any.

IT IS SO ORDERED.

SIGNED this 18th day of January, 2022.



ELIZABETH S. ("BETSY") CHESTNEY
UNITED STATES MAGISTRATE JUDGE